69. (*a*) In the case of searches for a list of documents executed by, or in favour of, a particular individual, the list shall show the number, date, nature and value of the several documents found, as well as the names of the parties and the village in which property affected, if any, is situated, but no description of the properties affected by the documents should be given as in the case of encumbrance certificates on properties. The list shall not include particulars of documents registered in Register Books III and IV, unless the applicant is entitled to copies of the entries (Section 57).

(*b*) A certificate of encumbrance shall contain a complete list of all acts and encumbrances affecting the property in question.

(1) Searches for certificates of encumbrances shall as a rule, be made by two persons, independently of each other, so that the results obtained by one may be compared and verified with those obtained by the other.

(2) When a party himself makes the search he should be required to furnish a signed note of the results of the search and the results should be verified by a member of the office establishment.

69. (*c*) A copy shall be retained of each encumbrance certificate issued from an office and shall be filed in a separate file book in which the various certificates will be numbered consecutively in a separate series for each official year.

The notes furnished by parties containing the results of searches conducted by themselves shall be filed with the office copies of the encumbrance certificates concerned.

By Order,

T. E. JEYARAMA AIYAR,

Secretary to Government,

Revenue Department.

APPENDIX I.

(*Rules 68 and 69.*)

CERTIFICATE OF ENCUMBRANCE ON PROPERTY.

Certificate No. of 192 .

Application No. of 192

having applied to me for a certificate giving particulars of registered acts and encumbrances, if any, in respect of undermentioned property :—

I hereby certify that a search has been made in Book I and in the indexes relating thereto for years from the day of 192 to the day of 192 for acts and encumbrances affecting the said property, and that on such search the following acts and encumbrances appear :—

Serial No.	(*a*) Description of property	Date of execution	(*b*) Nature and value of document	Names of parties		Reference to document entry		
				Executants	Claimants	Volume	Page	Number and year
1	2	3	4	5	6	7	8	9

(*a*) Enter the description as given in the document found.

(*b*) (1) In the case of a mortgage-deed enter rate of interest and period of payment, if stated therein.

(2) In the case of leases enter term of lease and annual rental.

I also certify that save the aforesaid acts and encumbrances no other acts and encumbrances affecting the said property have been found.

Search made and certificate prepared by { Signature. / Designation.

Search verified and certificate examined by { Signature. / Designation.

OFFICE, *Dated* 192 } *Signature of Registering Officer.*

Note—(1) The acts and encumbrances shown in the certificate are those discovered with reference to the description of properties furnished by the applicant. If the same properties have been described in registered documents in a manner different from the way in which the applicant has described them, transactions evidenced by such documents will not be included in the certificate.

(2) Under Section 57 of the Registration Act and Rule 68, persons desiring to inspect entries in the registers and indexes, or requiring copies thereof, or requiring certificates of encumbrances on specified properties should make the search themselves, when the registers and indexes will be placed before them on payment of the prescribed fees.

(*a*) But, as in the present case, the applicant has not undertaken the search himself the requisite search has been made as carefully as possible by the office; but the department will not on any account hold itself responsible for any errors in the results of the search embodied in this certificate.

(*b*) And as in the present case, the applicant has made the requisite search himself and as the acts and encumbrances discovered by him are shown in the certificate, after verification, the department will not, on any account, hold itself responsible for the omissions in it of any other acts and encumbrances affecting the said properties not discovered by the applicant.

NIL CERTIFICATE OF ENCUMBRANCE ON PROPERTY.

Certificate No. of 192
Application No. of 192

having applied to me for a certificate giving particulars of registered acts and encumbrances, if any, in respect of undermentioned property:—

I hereby certify that a search has been made in Book I and in the indexes relating thereto for years from the day of 192 to the day of 192 for acts and encumbrances affecting the said property and that on such search no act or encumbrance affecting the said property has been found.

Search made and certificate prepared by { Signature. / Designation.

Search verified and certificate examined by { Signature. / Designation.

OFFICE, *Dated* 192 } *Signature of Registering Officer.*

Note.—(1) If the properties have been described in registered documents in a manner different from the way in which the applicant has described them in the application the transactions evidenced by such documents will not be included in the certificate.

(2) Under Section 57 of the Registration Act and Rule 68, persons desiring to inspect entries in the registers and indexes, or requiring copies thereof, or certificates of encumbrances on specified properties should make the search themselves, when the registers and indexes will be placed before them on payment of the prescribed fees.

(*a*). But as in the present case the applicant has not undertaken the search himself the requisite search has been made as carefully as possible by the office, but the department will not, on any account, hold itself responsible for any errors in the results of the search embodied in this certificate.

(*b*) And as in the present case the applicant has made the requisite search himself and as its result is shown in the certificate after the necessary verifications, the department will not, on any account, hold itself responsible for the omissions in it of any acts and encumbrances affecting the said property, not discovered by the applicant.

CERTIFICATE SHOWING LIST OF DOCUMENTS EXECUTED BY OR IN FAVOUR OF A PERSON.

Certificate No. of 192 .

Application No. of 192 .

having applied to me for a certificate giving particulars of registered documents executed by or in favour of

I hereby certify that a search has been made for such documents in Books 1, 3 and 4, and in the indexes relating thereto for years from the day of 192 to the day of 192 and that on such search the following appear:—

Serial No.	Name of village in which the property affected by the document is situated	Date of execution	Nature and value of document	Names of parties		Reference to document entry			
				Executant	Claimant	Book	Volume	Page	Number and year
1	2	3	4	5	6	7	8	9	10

I also certify that save the aforesaid documents no others have been found.

Documents registered in Book 3 or Book 4 copies of which the applicant is not entitled to obtain under the provisions of Section 57 of the Indian Registration Act, are not covered by this certificate.

Search made and certificate prepared by { Signature
Designation

Search verified and certificate examined by { Signature
Designation

OFFICE,

Dated 192 .

Signature of Registering Officer.

Note—(1) The documents shown in the certificate are those discovered with reference to the description of the person furnished by the applicant. If the name has been described in registered documents in a manner different from the way in which the applicant has described it, transactions evidenced by such documents will not be included in the certificate.

(2) Under Section 57 of the Registration Act and Rule 68, persons desiring to inspect entries in the registers and indexes, or requiring copies thereof, or requiring certificate showing list of documents executed by or in favour of a person, should make the search themselves, when the registers and indexes, except Books 3 and 4 and the indexes relating thereto, will be placed before them on payment of the prescribed fees.

(*a*) But, as in the present case, the applicant has not undertaken the search himself, the requisite search has been made as carefully as possible by the office, but the department will not on any account hold itself responsible for any errors in the results of the search embodied in this certificate.

(*b*) And, as in the present case, the requisite search for entries in Books Nos. 3 and 4 has been made by the registering officer as carefully as possible and by the applicant himself in regard to entries relating to Book 1 and as documents so discovered are shown in the certificate after verification, the department will not on any account hold itself responsible for any errors in the results of the search embodied in this certificate.

RULES FRAMED BY THE CHIEF COURT OF MYSORE AT BANGALORE UNDER THE MYSORE ARBITRATION REGULATION No. I OF 1917.

Under the powers conferred by the Mysore Arbitration Regulation I of 1917, the Chief Court issues the following rules:—

Mode of application.

1. All applications under the Mysore Arbitration Regulation, 1917, hereinafter called the Regulation, shall be made by petition and, for the purposes of these Rules, the person making any application shall be called the petitioner and the person served therewith the opponent.

Title of application, etc.

2. All applications, affidavits and proceedings under the Regulation shall be headed "In the matter of the Regulation and of the Arbitration".

Contents of petition.

3. Every petition and special case shall state the names, descriptions and places of residence of the parties, so far as they can be ascertained, and shall contain and contain only, a concise statement, divided into paragraphs numbered consecutively, of the material facts, and shall specify the nature of the relief asked for, or the points for the opinion of the Court, as the case may be, and the section of the Regulation under which it is sought; and shall be accompanied by the submission and other documents if any relating to the subject matter or a certified copy or copies thereof, unless the same have already been filed in court.

Signature to and verification of petition.

4. Every petition shall be signed and verified in the manner provided in the Code of Civil Procedure for signing and verifying plaints, and no petition shall be received unless it be so signed and verified.

Persons on whom notice to be served to be specified.

5. Every petition shall specify the persons affected thereby and upon whom notice has to be served as hereinafter provided. It shall also state whether any notices required by the Regulation to be served by the parties or arbitrators have been duly served on the parties concerned and the dates of their service.

Notice on persons specified and others.

6. (*a*) Upon application under the Regulation the Judge shall, if he do not summarily reject it, direct notice thereof to be given to all persons specified in the petition as directed in Rule 5 and such other persons as may seem to him to be liable to be affected by the proceedings, requiring such persons to show cause within the time specified in the notice why the relief sought should not be granted, and, if no sufficient cause be shown, the Judge shall pass such order as the circumstances of the case may require.

(*b*) In any application under these rules the Judge may permit the proof of facts by affidavit as provided in the Civil Procedure Code.

Procedure.

7. The Judge shall determine which party has the right to begin, and, subject thereto, the case shall be heard and determined in the same manner as a suit which is disposed of finally at the first hearing as provided under O.XV, Civil Procedure Code.

Costs.

8. Unless the Judge otherwise expressly orders, an arbitrator or umpire shall not be allowed his costs of appearing at the hearing.

Opinion may be filed.

9. Where a special case for the opinion of the Court is stated before the conclusion of a reference, the opinion of the Court may be filed by any party to the application, and a copy thereof transmitted to the arbitrators or umpire. Such copy shall be added to and shall form part of the award.

Where a special case for the opinion of the Court is stated in the award, such opinion shall be added to and form part of the award.

10. The person filing a special case and every party to the arbitration shall be entitled, on payment of the usual copying charges, to a certified copy of the opinion of the Court thereon.

Procedure for submitting award to be filed.

11. Where the arbitrators or umpire have been requested to file the award made, he or they shall forward the award or a signed copy thereof to the Court duly stamped, with an application (accompanied by the submission to arbitration, and the award, or copies thereof) requesting that the award be filed.

Stay of Proceedings.

12. The Court may stay proceedings under Section 19 of the Regulation on such terms as it thinks fit, but not without notice to the opposite party, except where it appears that the object of granting a stay would be defeated by the delay occasioned by the notice.

Issue of Notices.

13. All notices issued by the Court under the Regulation or under these rules, shall be served in the manner provided in the Civil Procedure Code.

Fees Chargeable.

14. The pleaders' fees shall be calculated at the rates laid down for miscellaneous proceedings.

Execution of an award.

15. An application for executing an award shall be made in the manner prescribed for execution of decrees.

Practice where no Provision by rule.

16. Where no other provision is made by these rules, the procedure and practice at the time of the passing of the Regulation shall so far as practicable remain in force.

A. SREENIVASARAGAVACHARI,
Registrar.